

Message Text

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TO AMEMBASSY LA PAZ IMMEDIATE

INFO AMEMBASSY JAKARTA PRIORITY

C O N F I D E N T I A L STATE 211631

EO: 11652, GDS.

TAGS: ETRD, BL.

SUBJECT: COTTON CONTRACTS

REF: LA PAZ 6405 AND 6432

1. COOK'S LEGAL ACTION IS IN FORM OF TEMPORARY RESTRAIN-
ING ORDER, DATED OCTOBER 19, 1973, FROM THE JEFFERSON
CIRCUIT COURT, LOUISVILLE, KENTUCKY. PLAINTIFFS ARE COOK'S
SUBSIDIARY (FOMENTO INDUSTRIAL) AND RALLI BROTHERS. DE-
FENDENTS ARE EARL BROWN, ADEPA, SEC, AND FIVE BOLIVIAN
CITIZENS, GASSER, RASSUK, RODA, AGUILER, AND LOZA (ALL OF
WHOM ARE NAMED IN ORDER AS AGENTS OR EMPLOYEES OF ADEPA
AND/OR SEC). THE ORDER WAS SOUGHT TO BLOCK THE SALE OF
THE DISPUTED COOK AND RALLI BOLIVIAN COTTON TO INDONESIA
THROUGH EARL BROWN.

2. FYI COOK'S LAWYERS ADMIT THAT ACTUAL EFFECT OF ORDER
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IS UNCERTAIN AND MAY ONLY HAVE IMPACT ON BROWN IN STATE

OF KENTUCKY. HOWEVER, COOK AND RALLI FELT THEY HAD TO TAKE THIS STEP TO PROTECT THEIR CLAIM TO THE DISPUTED COTTON, I.E., TO GET "SOMETHING IN THE RECORD" IN TERMS OF LEGAL ACTION IN THE U.S. END FYI.

3. THE EMBASSY SHOULD INFORM ZAMORANO THAT NO RPT NO USG OFFICIAL OR COOK REPRESENTATIVE ADVISED EITHER GASSER OR ROMERO TO LEAVE THE U.S.

4. IN VIEW IMPLICATION LAST SENTENCE PARA 2 OF YOUR 6432, REQUEST EMBASSY COMMENTS ON POSSIBILITY OF ADEPA OR SEC RETALIATING AGAINST THE RESTRAINING ORDER BY SERVING COOK AND RALLI REPS WITH SIMILAR LEGAL ACTION IF THEY COME TO LA PAZ. FYI WE UNDERSTAND RALLI SENDING ITS LAWYER FROM MEXICO CITY WITH BARNETT ON OCTOBER 30 TO RENEGOTIATE ITS 1974 CONTRACTS WITH ADEPA. UK EMBASSY LA PAZ REPORTEDLY HAS FULL DETAILS END FYI IF COOK REPS LIKELY TO BE SERVED WITH PAPERS, THEN THEY OOVIOUSLY WILL NOT GO TO LA PAZ. COOK HAS REAFFIRMED ITS WILLINGNESS TO MEET IN THIRD COUNTRY, PREFERABLY MEXICO CITY BUT ANY OTHER ARA CAPITAL WITH GOOD COMMUNICATIONS (SUCH AS LIMA) ACCEPTABLE.

5. IF FRIEDMAN DOES GO TO LA PAZ HE WILL ARRIVE SOMETIME ON OCTOBER 30. THE DEPARTMENT WILL SUGGEST THAT HE REPORT TO THE EMBASSY UPON HIS ARRIVAL. THE DEPARTMENT, OF COURSE, LEAVES TO THE AMBASSADOR'S JUDGMENT THE EXTENT, IF ANY, OF EMBASSY PARTICIPATION IN THE ACTUAL NEGOTIATIONS. WE WOULD ASSUME, HOWEVER, THAT IF THE NEGOTIATIONS ARE CONDUCTED UNDER GOBAEGIS, THE EMBASSY WOULD WISH TO KEEP CLOSELY IN TOUCH. KISSINGER

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